

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): PAREKH et al.)	Group Art Unit:	Unassigned
)		
Serial No.: 10/522,428)	Examiner:	Unassigned
Confirmation No.: 8266)		
)		
International Filing Date: 1 August 2003)		
)		
For: COATING COMPOSITION FOR METAL SUBSTRATES			

**ELECTION UNDER 37 C.F.R. §3.71, REVOCATION,
POWER OF ATTORNEY, AND CERTIFICATE UNDER §3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Assignee **VALSPAR SOURCING, INC.** of the entire interest in the above-identified application hereby elects, under 37 C.F.R. §3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints those registered patent attorneys and registered patent agents associated with Customer Number 26813 as its attorney or agent (with full powers of appointment, substitution, and revocation) to prosecute the application, and any division, continuation, continuation-in-part, reexamination, or reissue thereof, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent.

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Please send correspondence to the following address:

Attention: Loren D. Albin
Muetting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, MN 55458-1415
Customer Number 26,813

Statement under 37 C.F.R. §3.73(b)

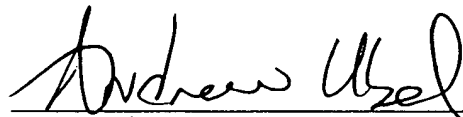
VALSPAR SOURCING, INC. states that it is the assignee of the entire right, title and interest in the above-identified patent application by virtue of assignment(s) from the inventor(s) of the above-identified patent application to **VALSPAR SOURCING, INC.** Copies of the assignment(s) is/are attached. The assignment(s) have been or are concurrently being recorded with the U.S. Patent and Trademark Office.

The undersigned (whose title is supplied below) is empowered to sign this document on behalf of the Assignee.

ASSIGNEE:

VALSPAR SOURCING, INC.

October 5, 2005
Date


Signature Andrew Ubel

Typed or Printed Name

Secretary
Title

Best Available Copy

DECLARATION

We, Girish G. PAREKH, George K. BARTLEY III, Greg M. PAULSON, Paul E. FUCHS, Daniel E. RARDON, and Robert M. O'BRIEN, declare that: (1) our respective citizenships and residence/mailling addresses are indicated below; (2) we have reviewed and understand the contents of the specification identified below, including the claims, as amended by any amendment specifically referred to herein, (3) we believe that we are the original, first, and joint inventors of the subject matter in

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A National Stage Patent Application under 35 U.S.C. §371 of International Patent Application No. PCT/US03/24090

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described and claimed therein and for which a patent is sought; and (4) we hereby acknowledge our duty to disclose to the United States Patent and Trademark Office all information known to us to be material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56.*

We hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below, or §365(a) of any PCT international application which designates at least one country other than the United States of America listed below, and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on the basis of which priority is claimed:

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b. ☐ such applications have been filed as follows:

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* Title 37, Code of Federal Regulations, §1.56 is reproduced on the attached page.

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60/400,091	1 August 2002

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The undersigned declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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1-00

Girish G. Parekh

9/21/05

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Date

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Residence: 2439 Dogwood Avenue, Wexford, Pennsylvania 15090

Mailing Address: same as residence

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Robert M. O'BRIEN

Date

Citizenship: United States of America

Residence: 163 Ridge Road, Monongahela, Pennsylvania 15063

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§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

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- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

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(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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